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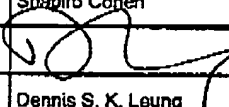
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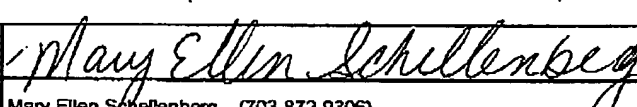
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/878,783	
	Filing Date	October 4, 2000	
	First Named Inventor	Nicholas W. DAWES	
	Art Unit	2666	
	Examiner Name	Frank Duong	
Total Number of Pages in This Submission	15	Attorney Docket Number	551P08US-1

ENCLOSURES (Check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Shapiro Cohen		
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Printed name	Dennis S. K. Leung		
Date	May 31, 2005	Reg. No.	47,325

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln No. : 09/678,783
Applicant : Nicholas W. DAWES et al.
Filed : October 4, 2000
TC/AU : 2666
Examiner : Frank Duong
Docket No. : 551P08US01

May 31, 2005

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APPLICANT INITIATED INTERVIEW SUMMARY

Dear Sir:

A Telephone Examiner Interview was conducted on May 4, 2005 with Examiner Frank Duong.

Examiner Duong confirmed that he had received a Proposed Amendment sent via facsimile on May 3, 2005, containing a listing of Claims.

Examiner Duong followed by urging Applicant to incorporate Claim 17 into Claim 1 as the Applicant would obtain a swift allowance of the case. Mr. Leung acknowledged that he would require specific approval from the Applicant to narrow the scope of each of Claims 1 to 10, as suggested, by including aspects of allowable Claim 17 directed toward measuring a network performance of each segment in the routing.

Appln No. 09/679,783
Interview Summary of May 31, 2005
Interview of May 4, 2005

Mr. Leung advised that in Applicant's view there are patentable distinctions over the Grau et al. prior art patent. The Grau et al. patent is directed toward a route tracing tool, which does not determine the topology of a network, but rather traces the routing between known network nodes to display these tracings in a graphical user interface. In contrast, Mr. Leung explained that the present invention is directed towards determining the connections between network objects in a network, in order to subsequently determine the routing of packets between network objects through WAN and LAN segments.

Mr. Leung remarked that the Grau et al. patent discloses, at column 8, line 14, that "the atlas manager creates a new atlas by invoking the atlas creator from the network topology database". Thus, the Grau et al. patent teaches that the network topology is known, and furthermore that the Grau et al. patent does not determine any of the connections between network nodes.

Mr. Leung thereafter discussed with the Examiner a separate Proposed Amendment in which Claim 1 was amended to expressly stipulate that the claimed methodology determined connections between network objects.

While Examiner Duong agreed that the Grau et al. patent may not teach the same invention, Examiner Duong was uncertain as to whether Applicant's proposed amendment of Claim 1 would be allowed.

Examiner Duong explained that Claim 1 as proposed to be amended by Applicant is would likely not be allowed because the addition of a new limitation would require a further review and thus necessitate filing a Request for Continued Examination (RCE). Examiner Duong therefore explained that unless Claim 17 is imported into Claim 1, Applicant would be required to file an RCE to have the Examiner review the Claims. Examiner Duong also

Appln No. 09/679,783
Interview Summary of May 31, 2005
Interview of May 4, 2005

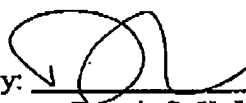
suggested that the limitation in Claim 2 may be allowable in view of the discussions in the Interview, were Applicant to import the subject matter of Claim 2 into the proposed Claim 1. Examiner Duong further stated that provided no other references were found that anticipated the limitation of Claim 2, Claim 1, amended to include the limitation of Claim 2, that is, the limitation in Claim 1 a) would read "dividing said network into LAN segments of non-routing objects and WAN segments of routing objects connecting said LAN segments", would likely be deemed allowable.

In sum, Examiner Duong advised that were Applicant to amend Claim 17 into Claim 1, the objected to Claims Applicant proposed would be allowed. However, if Applicant responded with the Claim amendments as proposed, Applicant would be required to file an RCE at an additional cost to have the Examiner review the Claims and search the prior art. No agreement was reached in the Examiner Interview.

Conclusion

Should any further fees or payments be necessary for entry of this amendment and further prosecution of this application, the undersigned hereby authorizes the Commissioner to debit and/or credit our Deposit Account No. 16-0600.

Respectfully Submitted,

By: 
Dennis S. K. Leung
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